



Missouri
Department of
Natural Resources

MISSOURI WELL INSTALLATION BOARD MEETING
May 11, 2012
DIVISION OF GEOLOGY AND LAND SURVEY
ANNEX CONFERENCE ROOM
111 FAIRGROUNDS ROAD
ROLLA, MISSOURI

OPEN MINUTES

The regular meeting of the Well Installation Board was held on May 11, 2012, at the Department of Natural Resources, Division of Geology and Land Survey, Rolla, Mo. A quorum being present, Mr. Danny Flynn, Chairman, called the meeting to order at 10:06 a.m.

Board Members Present: Mr. Danny Flynn, Chairman, Mr. Fred Schoen, Vice-Chairman, Mr. Joe Gillman, Mr. Robert Lawrence, Ms. Sharlene Morgan, Ms. Annetta St. Clair

Board Member Participating Via Conference Call: None

Board Members Absent: Mr. Robert Broz

Legal Counsel Present: Mr. Don Willoh, Assistant Attorney General

Guests Present: Lindell Lindsey, A & M Pump Inc. and Missouri Water Well Association (MWWA); Gerald Buechting, Buechting Drilling; Doc McClanahan, MWWA; Bill Burge, Burge Irrigation; Nelda Burge, Burge Irrigation; Beth Marsala, MWWA; Brad Hoyt, N. Fennewald Pump Service, Inc. and MWWA; Ed St. Clair

DNR Staff Present: Jerry Prewett, Carey Bridges, Sheri Fry, Connie Edwards, Chris Thiltgen, Hylan Beydler, Molly Starkey, Scott Kaden

INTRODUCTION

Mr. Danny Flynn welcomed everyone to the meeting and introduced himself. He asked the Board to introduce themselves, followed by staff and the audience.

MINUTES OF THE MARCH 30, 2012, BOARD MEETING

The Chair asked if there were any corrections to the minutes from the March 30, 2012, meeting. Ms. St. Clair moved to accept the minutes. Ms. Morgan seconded the motion. Motion carried.

PROGRAM UPDATE

The Chair recognized Mr. Prewett who informed the Board, he is no longer the Geological Survey Program Director and Carey Bridges has been chosen as the new program director.

There were no legislative updates. Mr. Prewett discussed staff's desire to purchase geophysical down-hole equipment, specifically a cement bond logger. After discussion, Ms. St. Clair moved staff to continue investigation on this and bring back finalized information for the Board's final vote in the August board meeting. After debate, the motion failed. Mr. Schoen asked staff to do as they see fit as far as this piece of equipment and appreciate their transparency in bringing it to the Board as well as industry because the industry is also important and moved the Board leave that up to staff. Mr. Lawrence seconded the motion. Motion carried.

SECTION UPDATE

The Chair recognized Ms. Bridges who stated it has been a pleasure working with the Board, industry, and staff within the Wellhead Protection Section during her time as section chief and she looks forward to working with the Board as the new program director. Ms. Bridges informed the Board of Ruth Ann Williams' retirement as of May 31, 2012; Ruth Ann is a senior office support assistant with the Section. At this time, there is no plan to replace her until an analysis can be completed on work flow and online form submittal.

Ms. Bridges gave updates on the following: redesigned permit cards; permit renewal policy; Well Online Form Submittal (WOLFS) application for monitoring wells now online; Well Information Management System (WIMS) online is currently in progress and staff are working on "The Connection" online option.

As of April 30, 2012, the Groundwater Protection Fund balance was \$419,068. Ms. Bridges updated the Board on the number of variances issued over the past four years.

PERMIT APPEALS

The Chair recognized Ms. Fry who gave an overview of an issue with the apprentice rule, presented by Mr. Bill Burge, Burge Irrigation in the March 30, 2012, board meeting. Staff recommended the Board require the applicant himself/herself formally appeal to the Board with evidence of their qualifications, and the Board will make a decision on a case-by-case basis. Mr. Fred Schoen moved the Board accept staff recommendation on this. Mr. Robert Lawrence seconded the motion. Motion carried.

RULE UPDATE

The Chair recognized Ms. Fry who updated the Board on the status of the following proposed rule changes:

Heat Pump Construction Rule - Staff are currently working on the draft from the last board meeting. When the draft is finished and reviewed by management, staff will begin holding stakeholder meetings.

Ms. Fry gave an update on the continuing education proposal and asked the Board to formally direct staff to begin the rule making process and to submit a rule making package to the Director's office to begin the formal rule making process that is set forth by the Department. Mr. Schoen moved to accept staff's recommendation. Mr. Lawrence seconded the motion. Motion carried.

Disciplinary Action and Appeals – Ms. Fry gave an overview of the rule content and the comments staff received from legal review. Staff asked the Board for direction on the comments. Ms. St. Clair moved the Board maintain its current position. Mr. Schoen seconded the motion. Motion carried.

MISSOURI WATER WELL ASSOCIATION COMMENTS

The Chair recognized Mr. McClanahan who thanked the Board for considering the continuing education program. Discussion and gratitude was made by the Board and the audience.

OTHER BUSINESS

None

PUBLIC COMMENT AND CONCERNS

The Chair recognized Mr. Lindell Lindsey, representing himself, asked the Board why the heat pump rule change has been pushed on for more stakeholder meetings. Discussion was made between the Board, staff and audience.

FUTURE MEETINGS

The Board approved holding an open session meeting on Monday, November 5, 2012, at 10:00 a.m., in Rolla, MO. Staff will determine the location. The motion was made by Ms. St. Clair and seconded by Mr. Schoen. Motion carried with a unanimous voice vote.

Mr. Schoen made a motion that the Well Installation Board meet in closed session at 9:30 a.m. at the next regular board meeting for the purpose of discussing matters protected from disclosure by

law as provided for in Section 610.021, RSMo., including but not limited to: legal actions, pending litigation, and attorney-client privileged matters with the board attorney. The motion was seconded by Mr. Lawrence. A roll call vote was taken as follows: Mr. Gillman, yes; Mr. Lawrence, yes; Ms. Morgan, yes; Ms. St. Clair, yes; Mr. Schoen, yes. Motion carried.

ADJOURNMENT

Mr. Schoen moved that the meeting be adjourned. Ms. St. Clair seconded the motion. Motion carried. Meeting adjourned at 11 a.m.